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The Red Underground

Need Seen for Tighter Passport and Alien Laws

By Herbert A. Philbrick

A story of how a woman accused of conspiring to deliver United States defense secrets to the Soviet Union successfully circumvented State Department passport restrictions, told in last week's "U. S. News and World Report" magazine, points to the need for tougher, tighter laws dealing with the activities of Communist agents in the United States.

Specifically, the story concerned Jane Foster Zlatovski, a former employee of the O. S. S., who was indicted July 8, 1957, by a Federal Grand Jury in New York on charges that she conspired to deliver United States defense secrets to the Soviet Union.

It is a serious matter that Mrs. Zlatovski may have infiltrated the super-secret Office of Strategic Services. But it is shocking to learn that although the activities of Mrs. Zlatovski were apparently known to the authorities and the State Department, weaknesses and loopholes in the law prevented the State Department from taking any action.

Passport Expired

"U. S. News and World Report" reveals that in 1955 the passport of Mrs. Zlatovski, who had formerly been in France and was then in San Francisco, expired. The State Department refused to renew it. Mrs. Zlatovski appealed to the Department's Passport Appeal Board, headed by Thurston D. Morton, now the Republican Senator from Kentucky.

The Appeal Board decided, on the basis of information provided by the F. B. I., that it would be "dangerous . . . for the security of the country" if Mrs. Zlatovski were to receive the passport and ruled against her. Mrs. Zlatovski then appealed to the Courts.

Dulles' Warning

Despite the fact that Secretary of State John Foster Dulles filed an affidavit stating that the passport grant for Mrs. Zlatovski "would be inimical to the security of the United States," United States District Judge Burnita S. Matthews ruled in favor of Mrs. Zlatovski, and the State Department was forced to issue the passport.

In 1947, the House Committee began an investigation of passport and immigration policies and came up with some startling

facts. The House Committee reported that there were 3,000,000 to 5,000,000 illegal aliens in the United States. They found, however, that "thousands of warrants outstanding for the deportation of Communists, criminals and other subversives were completely unenforceable."

Richard Arens, research director of the House Committee on Un-American Activities, in an address delivered before the Daughters of the American Revolution this spring, indicated that the Zlatovski case is far from an exception, and that it points up a problem which has long been a concern to Congress and the House Committee on Un-American Activities.

"We found," said Mr. Arens, "a complete breakdown in the enforcement of the immigration laws. In New York City, alone, for example, in one year's time we have found that they had stamped 'closed' and filed away between 50,000 and 75,000 cases of illegal aliens."

Situation in Miami

"We went to Miami, Florida, and there we saw stacked up on the desk of the District Director of the Immigration and Naturalization Service scores of files on cases of foreign subversives, international agents, en route to the United States via Cuba. We said, 'how can you intercept these people?' And they said, 'We can't. There is an outstanding order by the State Department that all documentation is waived for all persons coming into this country from Cuba ostensibly for less than twenty-nine days.'"

The trial of illegal and subversive activities found by the House probe led the investigators to the consulates and embassies of Communist nations which, said Mr. Arens, were found to be "spy nests."

Records on Envoys

"We picked at random," he said, "from the thousands of diplomats from behind the Iron Curtain in the United States 100 names. We sent them to the Central Intelligence Agency and we said, 'Without disclosing to us the source of your information or the identity of these individuals, tell us their backgrounds.'"

Here was the answer that two active in the Intelligence Service of their respective countries twenty-nine active Communist organizational work.

and twenty-one in other subversive activities. In other words, out of the 100 names we sent to them picked at random, eighty-five were in the subversive category, as to the remaining fifteen there was no information."

Walter Blames Courts

Mr. Arens did not imply that he was any way reflecting upon the good citizenship and loyalty of the hundreds of thousands of the foreign born who are legitimately in the United States. He pointed out that last year alone 340,000 people from other nations were brought into the United States for permanent residence; 230,000 under the McCarran-Walter act and 120,000 others by various special enactments.

But the committee did find, as reported by the committee through its chairman, Francis E. Walter, of Pennsylvania, that "the security of this nation is threatened by loose passport practices which are spearheaded by court decisions."

It would not be far wrong to say that today, due to the existing weaknesses of the law and coupled with twenty-three Supreme Court decisions in the last eighteen months favoring the Reds, that a Communist agent is safer from harm in the United States than he is in the Soviet Union itself.

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